



Journal of the House

State of Indiana

121st General Assembly

Second Regular Session

Third Day

Tuesday Morning

January 07, 2020

The invocation was offered by Chaplain Matt Barnes of Public Servants Prayer.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Macer.

The Speaker ordered the roll of the House to be called:

Abbott	Jackson
Austin	Jordan
Aylesworth	Judy <input type="checkbox"/>
Bacon	Karickhoff
Baird	Kirchhofer
Barrett	Klinker
Bartels	Lauer
Bartlett	Lehe
Bauer	Lehman
Beck	Leonard
Behning	Lindauer
Borders	Lucas
Boy	Lyness
T. Brown	Macer
Burton	Manning
Campbell	May <input type="checkbox"/>
Candelaria Reardon	Mayfield
Carbaugh	McNamara
Cherry	Miller
Chyung	Moed
Clere	Morris <input type="checkbox"/>
Cook	Morrison
Davisson	Moseley
Deal	Negele
DeLaney	Nisly
DeVon	Pfaff
Dvorak <input type="checkbox"/>	Pierce
Eberhart <input type="checkbox"/>	Porter
Ellington	Prescott
Engleman	Pressel
Errington	Pryor
Fleming	Saunders
Forestal <input type="checkbox"/>	Schaibley
Frye	Shackleford
GiaQuinta	Sherman
Goodin	Smaltz
Goodrich	V. Smith
Gutwein	Soliday
Hamilton	Speedy
Harris	Steuerwald <input type="checkbox"/>
Hatcher <input type="checkbox"/>	Stutzman
Hatfield	Sullivan
Heaton	Summers
Heine	Thompson
Hostettler	Torr
Huston	VanNatter

Vermilion
Wesco
Wolkins
Wright

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 3: 92 present; 8 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

The Speaker yielded the gavel to the Speaker-Elect, Representative Huston.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 4

Representatives Bosma, Macer and Frye introduced House Concurrent Resolution 4:

A CONCURRENT RESOLUTION honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.

Whereas, Terre Haute native Tony Hulman purchased the Indianapolis Motor Speedway in November 1945, beginning an ambitious post-World War II restoration project that forever altered Indiana's history and the trajectory of global motorsports;

Whereas, Since that time, members of the Hulman-George family have served as faithful stewards of the Racing Capital of the World, The Greatest Spectacle in Racing" and INDYCAR;

Whereas, 74 years of Hulman-George family leadership have produced many historic firsts and milestones, including the sold-out 100th Running of the Indianapolis 500, the inaugural Brickyard 400 and the debut of life-saving SAFER Barrier technology;

Whereas, The Indiana General Assembly recognizes a new era of leadership at the Indianapolis Motor Speedway and INDYCAR as all Hoosiers, young and old, mark the beginning of a new decade;

Whereas, Roger Penske is an individual supremely prepared to preserve and further the legacy of IMS, the Indianapolis 500 and the IndyCar Series;

Whereas, Roger Penske's track record in the world of professional motorsports is second to none, highlighted by Team Penske's 18 Indianapolis 500 victories, 16 IndyCar Series championships, two Daytona 500 victories, 545 major race wins and 37 championships across professional racing disciplines;

Whereas, Roger Penske is also the Founder and Chairman of Penske Corporation, a global industry leader that employs more than 64,000 individuals and manages more than \$32 billion in global revenue;

Whereas, Roger Penske's leadership principles include a commitment to civic growth and philanthropy, highlighted by

his service as Chairman of Super Bowl XL and Penske Corporation's support of many worthy charities and causes;

Whereas, Roger Penske is also a recipient of the highest honor bestowed on an American civilian, the Presidential Medal of Freedom, and many other prestigious awards and honors, including induction in the Sports Broadcasting Hall of Fame and NASCAR Hall of Fame; and

Whereas, Roger Penske's commitment to excellence, growth, integrity and innovation in all his endeavors will now guide and serve the Racing Capital of the World, North America's pre-eminent open-wheel motorsports series and race fans everywhere: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly honors the historic contributions of the Hulman-George family and celebrates the incoming leadership of Roger Penske and the Penske Corporation.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to members of the Hulman-George family and to Roger Penske, Founder and Chairman of Penske Corporation.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Young.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 1:34 p.m. with the Speaker in the Chair.

Upon request of Representative Austin, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 4: 95 present. The Speaker declared a quorum present.

Representatives Dvorak, Eberhart, Forestal, Hatcher, May, and Morris, who had been excused, are now present.

Representatives Goodin and V. Smith, who had been present, are now excused.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, January 8, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1002, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1002 as introduced.)

Committee Vote: Yeas 13, Nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1007, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1007 as introduced.)

Committee Vote: Yeas 13, Nays 7.

BROWN T, Chair

Report adopted.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill Lists 4 and 5 were read a first time by title and referred to the respective committees:

HB 1012 — Chyung

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1016 — Deal

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

HB 1018 — Harris

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning higher education.

HB 1020 — Pierce

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1033 — Jackson

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1036 — Lucas

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1058 — Boy

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1068 — Ellington

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1083 — Campbell

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1138 — Bartlett

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1141 — Fleming

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1162 — Errington, Boy

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning civil rights.

HB 1178 — Pryor

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1227 — Hamilton

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1238 — Chyung

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1239 — Chyung

Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1240 — Chyung

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1241 — Porter

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1248 — Summers

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1249 — Summers

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1250 — Summers

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1251 — Summers

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning the general assembly.

HB 1252 — Summers

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning health.

HB 1257 — Boy, Errington

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1259 — Deal

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1260 — Deal

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1268 — Candelaria Reardon

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1270 — Candelaria Reardon

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1271 — Candelaria Reardon

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1298 — Smith V

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1299 — Smith V

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HJR 1 — Chyung

Committee on Judiciary

A JOINT RESOLUTION proposing an amendment to Article 4, Section 7 of the Constitution of the State of Indiana concerning the general assembly.

HB 1073 — VanNatter

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1074 — Goodrich

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1075 — Pryor

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1076 — Pryor

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1077 — Zent

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1078 — Zent

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1079 — Barrett

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1080 — Barrett

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1081 — Gutwein

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1082 — Heaton

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1084 — Campbell

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1085 — Pressel, Burton

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1086 — Goodrich

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning higher education and to make an appropriation.

HB 1087 — Bacon

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

HB 1090 — Cook

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

HB 1091 — Cook

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1092 — Ziemke

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1093 — Ziemke, Pressel

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

HB 1094 — Ziemke

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1095 — Sullivan

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1096 — Young J, Boy, DeLaney, Engleman

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

HB 1097 — Young J

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1098 — Steuerwald

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1099 — Manning

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1100 — Manning

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1103 — Shackelford

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1104 — Clere

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1145 — Hostettler

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1221 — Wesco

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

RESOLUTIONS ON FIRST READING**House Concurrent Resolution 3**

Representatives Stutzman, Wesco, Miller and Nisly introduced House Concurrent Resolution 3:

A CONCURRENT RESOLUTION recognizing the Boys and Girls Clubs of Elkhart County.

*Whereas, Boys and Girls Clubs are open after school and during the summer to provide children and teens with a safe place to go where they can connect with caring adults;**Whereas, Boys and Girls Clubs of Elkhart County include the Elkhart Club, Goshen Club, Middlebury Club, and Nappanee Club;**Whereas, The opening of the Goshen Boys Club in Goshen, Indiana, marked the beginning of Boys and Girls Clubs of Elkhart County in 1956;**Whereas, The Boys and Girls Clubs of Elkhart County serve more than 1,500 youth a day between the ages of six and 18;**Whereas, Professional staff and volunteers use a combination of locally developed programs, and those developed and tested nationally by Boys and Girls Clubs of*

America, to address academic success, good character and citizenship, and healthy lifestyles;

Whereas, The Boys and Girls Clubs of Elkhart County have partnered with Ivy Tech Community College to provide educational opportunities in professional development and job-skills training;

Whereas, The joint program known as "etc. PROGRAM" provides club members in grades eight through 12 with experience in resume writing, interviewing, career exploration, job-shadowing, and job searching;

Whereas, Completion of the program provides club members with a portfolio that includes letters of recommendation, career evaluations, employment training certificates, and a guaranteed interview with a local business partner;

Whereas, The partnership allows children and young men and women the opportunity to explore their interests and take steps toward achieving future goals in higher education, trade schools, and full-time employment;

Whereas, The leaders of the Boys and Girls Clubs of Elkhart County use their experience and programs to inspire and help revitalize chapters around Indiana;

Whereas, More than 130,000 youth were served in Indiana during 2019 as members of a Boys and Girls Club or through community outreach sponsored by a club in their community, according to estimates provided by the Indiana Alliance of Boys and Girls Clubs; and

Whereas, The Boys and Girls Clubs of Elkhart County work tirelessly to fulfill and succeed at their mission to inspire and empower young people, especially those in need, and to help young Hoosiers reach their full potential as productive, caring, and responsible citizens: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the Boys and Girls Clubs of Elkhart County for their contributions in the local community.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the Boys and Girls Clubs of Elkhart County.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Doriot.

Senate Concurrent Resolution 3

The Speaker handed down Senate Concurrent Resolution 3, sponsored by Representative Behning:

A CONCURRENT RESOLUTION memorializing Decatur Township Firefighter Lieutenant Tracy Hayden.

Whereas, Lieutenant Tracy Hayden, a 17-year veteran of the Decatur Township Fire Department, passed away on November 9, 2019;

Whereas, Lieutenant Hayden was born January 14, 1981, in Indianapolis and graduated from Ben Davis High School;

Whereas, After studying Fire Science at Lake Superior State University, Lieutenant Hayden joined the Decatur Township Fire Department;

Whereas, Lieutenant Hayden was promoted to Merit Lieutenant in 2011, and to Division Chief of Fire and Life Safety in 2014, where he investigated fires and worked in fire education with schools and businesses;

Whereas, Involved with numerous fire organizations, Lieutenant Hayden was a member of the Marion County Arson Task Force, the International Association of Arson Investigators, and the National Association of Fire Investigators;

Whereas, When not at the firehouse, Lieutenant Hayden loved playing video games, traveling to Las Vegas, taking annual firefighter racing trips, and officiating high school football;

Whereas, Lieutenant Hayden was diagnosed with leukemia in May 2019, and the diagnosis was believed to be the result of an October 2015 fire where he was exposed to toxic chemicals;

Whereas, A devoted family man, Lieutenant Hayden is survived by his wife, Tammy, his sons, Oliver and Wyatt, and his father, Robert; and

Whereas, Though he succumbed to leukemia on November 9, 2019, Lieutenant Hayden's service to the citizens of Decatur Township and Marion County will never be forgotten: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly memorializes Decatur Township Firefighter Lieutenant Tracy Hayden.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Lieutenant Hayden's wife, Tammy, his two sons, Oliver and Wyatt, his father, Robert, and the Decatur Township Fire Department

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

HOUSE MOTION

Mr. Speaker: I move that, pursuant to Rule 8, the below referenced House Standing Rule be changed as follows:

Concerning Rule 118, delete:

~~118. Substituting Another Bill. No bill may be amended by annexing to it or incorporating with it any other bill pending before the House.~~

Renumber accordingly.

DELANEY

Motion failed..

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1001, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 3, delete "(b)." and insert "**(b) or (c).**"

(Reference is to HB 1001 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BEHNING, Chair

Report adopted.

Pursuant to House Rule 60, committee meetings were announced.

January 7, 2020

House 21

On the motion of Representative DeLaney, the House adjourned at 1:52 p.m., this seventh day of January, 2020, until Wednesday, January 8, 2020, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives